

Denial of Unemployment Benefits for Seasonal Workers



• *Information for Workers* •



A NEW LAW DENIES UNEMPLOYMENT BENEFITS TO SOME SEASONAL WORKERS BETWEEN SEASONS

Workers wanting to receive unemployment benefits may now be denied those benefits in Michigan if their employer chooses to be considered a “seasonal employer” under the law. This law does not apply to workers in the construction industry.

If a person worked for more than just a seasonal employer, the worker might still be able to collect some benefits.

WHEN WILL A SEASONAL WORKER BE DENIED UNEMPLOYMENT BENEFITS?

A seasonal worker will only be denied unemployment benefits between seasons when each one of the following conditions is met by the employer:

- **When the employer chooses to apply to the Unemployment Insurance Agency (UIA) to be a seasonal employer, and posts a copy of the application form for all workers to see;**
- **When the UIA decides the employer is a “seasonal employer;”**
- **When the employer posts a Notice telling workers that the UIA has decided the employer is a “seasonal employer.”**

The employer must post the Notice in a place where workers will easily see it. The Notice must tell workers the period the UIA says is the employer’s “normal seasonal work period,” a period of up to 26 weeks. The UIA will not deny benefits to a worker whose employer has not posted this Notice.

■ **When workers receive written notice that they are seasonal**

When workers are hired, the employer must inform them, in writing, that they are being hired as seasonal. The UIA will not deny benefits to a worker who does not receive this written notice.

■ **When the employer has given the worker “reasonable assurance” of returning to work next season.**

The employer must give a worker “reasonable assurance” of returning to work next season. Reasonable assurance is not a guarantee of work. It is an employer’s honest belief that there will be work for next season. The work should be about the same as the worker’s last job as far as skills needed, location, wages and benefits.

If it turns out that a worker who had reasonable assurance for the next season is not actually given the job in the new season, that worker could receive the benefits denied before. However, to get these “back benefits,” the worker must file a claim at the end of the old season, and must continue to report by mail or telephone between seasons, as directed by the UIA.

■ **When the person works only during the employer’s “normal seasonal work period.”**

If a worker begins work before the start of the employer’s normal seasonal work period, or continues working past the end of the period, the worker will not be denied benefits when the season ends.

If You Have Further Questions, Call the UIA Customer Relations Hotline:

1-800-638-3995

(TTY customer use 1-866-366-0004), or visit our website at: www.michigan.gov/uia

DLEG is an Equal Opportunity Employer and complies with the Americans with Disabilities Act.